

The following April the Cardinal appeared at the annual Communion Breakfast of the Police Department's Holy Name Society and, to the cheers of some 5,000 policemen, shook hands with Mr. McCarthy.

Cardinal Spellman never retreated from his defense of the Senator even after Mr. McCarthy was censured by the Senate. Indeed, the Cardinal maintained a friendship with one of the Senator's coworkers and most contentious investigators, Roy M. Cohn. The Cardinal was a guest from time to time on Mr. Cohn's yacht and appeared often at dinners arranged by the lawyer.

On the subject of Communism the Cardinal was outspoken, and he saw its perils and threats in many areas of American and international life. According to Father Gannon, his biographer, the Cardinal's all-inclusive hatred of Communism led him to deplore "the indifference of the United Nations to Divine Guidance, their exclusion of Ireland and Spain and every civilized country that might prove embarrassing to the Kremlin, and above all, their cynical attitude toward the liquidation of Poland, Estonia, Latvia, Lithuania and the Atlantic Charter."

But the United Nations finally proved better than nothing. Father Gannon wrote, "and when New York City formally turned over several tracts of land on the East River to the United Nations, His Eminence pronounced the invocation."

The Cardinal was often a target of Moscow invective—he was once called "the archangel of atomic war"—because he likened Communism to, among other things, "a wild beast of the forest." When Nikita S. Khrushchev, then Soviet Premier, toured the United States in the summer of 1959, the Cardinal summoned the entire archdiocese to Holy Hour services in every church on the eve of the Premier's arrival.

In the late nineteen-forties the Cardinal took a hand in the United Nations discussion over Palestine partition and was helpful in rounding up support from the Catholic countries of South America for the admission of Israel to the United Nations. One aspect of the plan called for international control of the holy places in Jerusalem. When this fell through, the Cardinal was critical of Israeli officials.

CARDINAL'S GUESTS

On a personal level, however, the Cardinal was friendly with scores of Jewish leaders. The late President Chaim Weizmann of Israel was a dinner guest of the Cardinal, as was Abba Eban, the Israeli diplomat. Locally, Charles S. Silver, a former Board of Education official and an officer of the American Woolen Company, was a close friend and frequent table companion.

Cardinal Spellman was on his way home from a pilgrimage to Lourdes when Pope Pius XII died in 1958. He flew to Rome, took part in the funeral rites for his old friend and attended the conclave that elected Angelo Cardinal Roncalli as Pope John XXIII. The two were on friendly terms.

Similarly, he was on friendly terms with Pope Paul VI, whom he had met when both were in the Vatican Secretariat of State. The Pontiff honored him when he celebrated his 75th birthday and 25th anniversary as Archbishop of New York at a dinner here in May, 1964. On that occasion the Pope, through a representative, gave the Cardinal a jeweled clasp that had been worn by Pope Pius XII. It was inscribed in Latin in words meaning "to our beloved son."

Later that year the Pontiff, through the Cardinal, gave his jewel-studded crown to this country "to express gratitude for the goodness of all people of America." After being exhibited at St. Patrick's Cathedral the triple tiara was placed on permanent display at the National Shrine of the Immaculate Conception in Washington.

A climactic honor came to the Cardinal Oct. 4, 1965, when he was host to Pope Paul

on the Pontiff's visit to New York to address the United Nations in an appeal for world peace. From the moment of the Pope's arrival at Kennedy Airport until his departure late that night, the Cardinal was at his side. The honor paid the Cardinal was enhanced by the fact that it was the first visit of any Pope to the United States.

Nonetheless, the Cardinal's influence in the Vatican and his power in the United States had diminished considerably by 1965. Having so often "jumped channels" when Pius XII was Pope, the Cardinal had annoyed many in the Curia, and the political pendulum now swung against him. At the same time, the Vatican paid less heed to the Cardinal's advice on American affairs.

In May, 1966, the Cardinal marked his 50th anniversary as a priest. There was an elaborate ceremony at St. Patrick's Cathedral attended by four other cardinals and the Apostolic Delegate to the United States.

In the glow of the celebration the Cardinal seemed to have mellowed and to have withdrawn from the arena of public dispute. This estimate was accentuated by his offer, in September, to resign as Archbishop of New York and as Military Vicar because he was over 75. A month later he announced the offer (and its rejection by the Pope) in one of his rare appearances in the pulpit at St. Patrick's.

"I accept this decision of His Holiness as God's will for me," he said.

But any thought that the Cardinal might have eschewed controversy was dispelled, when he traveled to South Vietnam at Christmastime. Addressing American troops, he asserted, "This war in Vietnam is, I believe, a way for civilization." He went on to say that "less than victory is inconceivable."

These words, uttered as the Pope was earnestly striving for a Vietnam peace, evoked denunciation of the Cardinal from without and within the church. He was even chided by the Vatican newspaper, which remarked that all Catholics had a duty to give loyalty to the Pope's peace efforts. The Cardinal later sought to modify his stand by insisting that he wanted peace in Southeast Asia.

This fall the Cardinal was again in controversy when, in a rare political statement, he endorsed the proposed New York State constitution as "a document worthy of support by the people." The proposal, which was defeated, repealed a specific restriction on public aid to parochial schools.

Out of the spotlight, the Cardinal spoke longingly of his joy in pastoral work. "That has always been my ideal," he said recently, "to be close to the people. That is what the church has always done and always should do."

(Mr. TALCOTT (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

(Mr. TALCOTT'S remarks will appear hereafter in the Appendix.)

BABCOCK & WILCOX CO.—100 YEARS

(Mr. AYRES (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. AYRES, Mr. Speaker, the State of Ohio and Summit County in particular have been most fortunate in having industrial firms who have not only added greatly to the wealth of the people but who have a genuine concern not only for their own employees but for all of the people of the community in which their plants are located.

The Babcock & Wilcox Co. is this year celebrating its 100th year and ranks

among the industrial giants of the world. We congratulate them.

We, in Summit County, Ohio, take a deep pride in the tremendous growth of the boiler division of that company. While this great division does not date back to the origination of the Babcock & Wilcox Co., its antecedents do go back to 1880.

Today some 6,000 persons are employed by this company at its boiler division headquarters in the fine city of Barberton, Ohio. Another 4,000 are employed by B. & W.'s other departments in neighboring counties. Its Ohio payroll is in excess of \$81 million annually.

Under its great industrialist, vice president, J. P. Craven, the boiler division of the Babcock & Wilcox Co. has shown great dedication to the total welfare of the community.

Just recently the Barberton Area Chamber of Commerce gave their annual certificate of merit to this division of the Babcock & Wilcox Co. In doing so, the Barberton Area Chamber of Commerce president, William Haury, stated:

We give this award to the Babcock & Wilcox Co. in recognition of its contribution to the industrial life of the Nation; for the dynamic leadership of its management that has contributed to the constant growth and expansion of the firm's Boiler Division; thereby providing increasing benefits to the economy and well-being of the Barberton Area community; and for the continuing participation and support in community activities.

J. Paul Craven, who accepted the award on behalf of his company, has the respect and the affection of the citizens of Ohio. He has been a member of the Babcock & Wilcox Co. for over 39 years and is considered one of the world's great authorities in his field. The Babcock & Wilcox Co. boiler division's entire staff of executives and employees have gained an international reputation for the excellence of their work.

I cannot close this tribute without paying homage to the parent organization. The Babcock & Wilcox Co. has over 30,000 employees in its 35 facilities here and abroad. Its sales for 1966 were over \$561 million. Its history is one of ever-increasing growth. One can well understand this when one considers that it spends over \$15 million annually in research and development.

When the industrial history of man's conquest of his environment is finally written the name of Babcock and Wilcox will occupy some of its most important chapters.

We do feel that under its chairman of the board and president, Morris Nielsen, the Babcock & Wilcox Co. will achieve even greater goals in the next hundred years of its existence.

We thank them for the faith that they have shown in the State of Ohio.

MINNIE HARRELL

(Mr. BROYHILL of Virginia (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROYHILL of Virginia. Mr. Speaker, on Monday, December 4, I made a speech which appears on page H16195

of the RECORD, concerning the fact that neighborhood legal service attorneys, paid by OEO antipoverty funds in three States and the District of Columbia, have gone into Federal district courts seeking to strike down both State and Federal residency requirements as unconstitutional.

The original draft of my speech contained a reference to one Minnie Harrell, whom I had been told was in the district only 5 days when the suit was filed in her behalf against the District of Columbia Commissioners. Prior to making the speech I learned that she had been here 9 months, and that the case was filed on June 20, 1967, the same day a Federal court ruled in the case of Thompson against Shapiro that Connecticut's residency requirements were unconstitutional. I therefore deleted the following paragraph from my speech:

The case of Minnie Harrell v. the Board of Commissioners of the District of Columbia was filed 5 days after Minnie Harrell entered the District. Anyone acquainted with the law and the effort and research connected with filing of a suit, knows that she must be a plant, the UPO attorneys co-conspirators and the victims none other than the American people who will foot the bill.

Unfortunately, a few copies of the original draft reached the press although my office attempted to retrieve all copies containing the error. I therefore would like to take this opportunity to correct this unintentional error and to express my regrets if any embarrassment has been caused thereby.

LET US SET THE RECORD STRAIGHT

(Mr. MORTON (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORTON. Mr. Speaker, on October 23, 1967, in a discussion of House Resolution 948, and on October 24, 1967, in reference to the same matter, my colleague from the Second District of Maryland charged the Honorable Spiro T. Agnew, Governor of the State of Maryland, with a conflict of interest and impropriety in the alleged ownership of land next to the proposed parallel Chesapeake Bay Bridge.

Specifically, the gentleman charged that Governor Agnew—

First, owns land on the approach to and very near the proposed parallel span;

Second, that his ownership of the land was discovered last year;

Third, that, when the ownership was discovered, the Governor promised to sell the land and give the proceeds to charity; and

Fourth, that the land had not been sold but "repeated public prodding has only just now succeeded in getting a definite action to sell this property."

The charges appear in the CONGRESSIONAL RECORD October 23, 1967, on page H13798, and October 24, 1967, on page A5213. The charges are a distortion of the facts and unfairly impugn the integrity of Governor and Mrs. Agnew. The record should reflect the following facts:

First. A one-ninth interest in the land in question was purchased by the Agnews

on June 31, 1965, some 15 months before Mr. Agnew was elected Governor.

Second. On July 6, 1966, before the gubernatorial primary election in Maryland, Mr. Agnew voluntarily disclosed his ownership interest in the land in question. He subsequently volunteered to divest himself of his ownership therein so there could be no conflict of interest in the event he should be elected. On September 16, 1966, prior to the Maryland gubernatorial election, the Agnews entered into an irrevocable trust agreement with the Maryland National Bank under the terms of which the bank was directed to sell the Agnews' one-ninth interest in the property at a private sale within 1 year of that date and, if no suitable sale could be consummated within that time, the trust agreement directed that the Agnews' one-ninth interest be sold at public auction. Any profit from the sale was to be paid over to charity. No suitable purchaser having been found for the property, the trustees, on October 13, 1967, advertised the Agnews' one-ninth interest for sale at public auction.

My colleague was aware on October 23, 1967, when he made his charges, that the Agnews' interest in the property had been advertised for sale and would be sold on October 31, 1967, at public auction. The Agnews' interest was sold on October 31, 1967, at public auction for \$13,200. The only bid at the auction was by a representative of the other owners of the property to whom the property was sold. The sale will result in a small loss to the Agnews.

In fairness to Governor and Mrs. Agnew, it should be emphasized—

First, that their purchase of the land was some 15 months prior to Mr. Agnew's election as Governor;

Second, an irrevocable trust disposing of the Agnews' interest in the property and divesting the Agnews of any further ownership in the property was executed and recorded 2 months before his election as Governor;

Third, the Agnews' interest in the land was sold at public auction under the terms of the trust agreement and at a loss to them; and

Fourth, the Agnews' interest in the property was not "discovered." Governor Agnew voluntarily disclosed his interest in the property well in advance of the Maryland gubernatorial primary election.

VIETNAM LETTER

(Mr. MORTON (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORTON. Mr. Speaker, all of us receive voluminous mail about Vietnam. The mail comes from constituents at home and from our servicemen on the firing line. The letters plead, cajole, bully, and give a great deal of advice. But on a rare occasion, the one letter comes in which is such a simple and clear statement of feeling and fact that it makes us sit back and honestly reappraise our sometimes cluttered and confused thinking.

Mr. Speaker, I have received just such a letter from Michael W. Massey, a Navy Seabee stationed in Da Nang, which I would like to share with my colleagues. His letter follows:

DA NANG, REPUBLIC OF VIETNAM.
HON. CONGRESSMAN MORTON,
First Congressional District Representative
of the State of Maryland.

Sir: I have been meaning to write this letter for weeks. My name is Michael W. Massey, and my home address is 716 Edgar Drive, Salisbury, Maryland. I have been a Maryland resident for the past twenty-one years. At the present time I am an enlisted Navy serviceman stationed at DaNang, Republic of Vietnam with U.S. Naval Mobile Construction Battalion 1. I have been in Vietnam a little over six months.

I am writing to encourage you to support the continuation of the bombing of North Vietnam. I am sure that you realize that the bombing of North Vietnam is buying an item so valuable that not even all our tax money can buy. That item is human lives. With each bomb dropped in the north we help to earn a few more men the right to live so that they might be able to come home. As long as the supply lines from the north are paralyzed the Seabees here in DaNang, Phu Bai, Chu Lai areas can have only limited contact with the V.C., thus making it a little easier to do the job we are expected to do. I realize world opinion is against us in a great many of the countries we have considered our allies; plus a lot of people, particularly college students, do not favor or endure the war. I myself don't pretend to tell you I think war is the solution to any of the world's ideological disputes. It seems to me that we the people who are striving to reach unlimited goals in space and human development should concentrate more on getting along here on earth. But as one human to another, small cries of peace and understanding in a darkened, hateful world can not stand up against the misguided teachings of a few world communist leaders. I hope you will seek every means of helping to end this war, and encourage your fellow Congressmen to also do so. You must evaluate the facts and vote for the right measures.

We here in Vietnam listen and read of the differences of opinions circulating in Congress at the present time. The lives of thousands of servicemen are in your hands. We here in Vietnam don't want to be used as a political ball to be thrown back and forth from one political party accusation to another. We were sent here to do a job which Congress gave the President permission to do. I say, let's get it done and done right.

I know you are doing your best and I know you will continue the good job you have done. In closing let me say I don't know the answer over here. I have learned one lesson over here. That lesson is peace and democracy are worth any battle no matter if it is fought in Congress, the debating tables in the United Nations or in the rice paddies of Vietnam.

Respectfully,
MICHAEL W. MASSEY,
U.S. Navy USN MCB 1, "H" CO.
FPO, New York, N.Y.

CONGRESSMAN BURKE CITES ADDITIONAL SOVIET BUILDUP IN MIDDLE EAST

(Mr. BURKE of Florida (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURKE of Florida. Mr. Speaker, on November 20 I called to the attention of my colleagues reports of a tremendous military buildup taking place in the

Middle East and the Mediterranean area, in which the Soviet Union is instrumental. Today I want to relate to you another step which the Soviet Union is taking to command military control of the vital Mideastern and Mediterranean Sea routes, and destroy the southern flank of NATO defenses.

The new step is the basing in Egypt of a squadron of Tupolev 16 jet bombers by the Soviet Union this past weekend. This squadron of Russia's best bombers have been placed there, complete with Russian pilots and crews. It is especially significant because it marks the first time that the Soviet Union has equipped foreign nations outside the Soviet bloc with their best bomber plane. Furthermore, it is also the first time that Russian pilots and crewmen have been supplied to such nations.

I cannot overemphasize the importance of acting now to review this situation and reassess our position and policies with Russia in the light of these recent events. The Tupolev 16 planes have long been considered the pride of the Soviet bombing fleet, and are capable of carrying missiles and nuclear weapons for a great distance, even as far as the eastern shores of the United States.

In my opinion, these latest developments by the Soviet Union mean only one thing: The Russians are moving into the Middle East, far more swiftly than our administration realizes, to capture control of the vital sea routes, to bottle up our 6th Fleet, and to further undercut our Western defenses, principally NATO.

How long must we wait before we get some assurances from the Johnson administration that steps will be taken to curb this Soviet takeover of the Middle East and Mediterranean?

In my November 20 statement, I reported to you some information which I received through reliable sources to the effect that the Soviet Union is already moving missiles to develop a rocket complex at the Port of Oran in Algeria. This complex of rockets will be aimed directly at the Straits of Gibraltar. I also reported that the Russians have totally rearmed the Arab nations with weapons more modern than those destroyed in the June war. In addition, this time they are supplying six to eight Russian generals to oversee the operation. Furthermore I understand that the Russians have based over 25,000 Soviet military personnel and technicians in Syria, Egypt, and Algeria to train Arab troops in the manipulation of the modern war equipment they have supplied. These Russians will also be used as backup reserves for the Arab forces.

I feel compelled to say again, Mr. Speaker, that the danger of world war III appears to lurk more in the passionate deserts of the Middle East and Mediterranean today than in the Southeast Asia war.

The Russians are playing for high stakes throughout the Mediterranean. They are definitely aiming at the weak foundation of NATO, hoping to undermine the entire defense structure of the Western Community.

I think the present administration is underreacting in the Middle East and Mediterranean because of a misguided belief that the Russians are less hostile and less dangerous than the North Vietnamese and the Red Chinese. But do not believe for a minute that the Soviet Union has in any way changed its long recognized desire for world conquest.

Mr. Speaker, I feel very strongly that we must reassess our position and our policies with respect to the Soviet Union. Russian objectives in the Middle East are far from peaceful. Again, I urge my colleagues to join me in urging the Johnson administration to take immediate steps to counteract this situation before it is too late.

INDIAN CLAIMS COMMISSION

(Mr. SMITH of Oklahoma (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SMITH of Oklahoma. Mr. Speaker, the Indian Claims Commission is an agency of vital importance to many of my constituents. The saga of negligence and unfair treatment of the American Indian by the Federal Government is a sorry chapter in the history of our Nation.

The Indian Claims Commission was created to correct some of the wrongs done to the original Americans, the Indians. This Commission was created to redress grievances and function to restore honorable relations between Washington and the Indian. The Commission should be regarded as sacred to our national honor as is the U.S. Supreme Court. Its members should be chosen with the same care on a basis of individual merit.

I am deeply troubled, Mr. Speaker, to read in the Washington Evening Star and Washington Post that Richard W. Yarborough, son of Senator RALPH YARBOROUGH, a Texas Democrat, was appointed to a \$26,000 position on the Indian Claims Commission reportedly because the Senator rendered a political favor for a close personal friend of President Johnson.

Today I have received information to indicate that young Mr. Yarborough, whose legal experience appears mainly confined to work in his father's office, is certainly not the most qualified individual available for service on the Commission. Indeed, he appears to have no special background in the complicated laws that pertain to Indian claims or to the unique problems of the American Indian.

Mr. Speaker, I would like to know if the administration regards the Indian Claims Commission so lightly that appointments to that body are used to pay off political debts. I would like to know why Mr. Yarborough was chosen when more experienced and qualified men were obviously available. I would like to know if the administration is indicating a lack of concern for the claims of great importance to our Indian citizens now pending before the Commission.

The answers to these questions must be forthcoming if we are to restore public confidence in the Commission and reassure our Indian citizens that their claims are regarded in Washington as a very serious matter.

MENTAL RETARDATION FACILITIES AND COMMUNITY HEALTH CENTERS CONSTRUCTION ACT OF 1963

(Mr. BROTZMAN (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROTZMAN. Mr. Speaker, yesterday I watched with considerable personal pride as the President signed into law a bill to amend and improve the mental retardation features of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963.

It had been my privilege during the 88th Congress to serve not only on the Interstate and Foreign Commerce Committee, which brought the act to the floor, but also the Public Health and Welfare Subcommittee, which drafted the act.

But my pleasure at playing a part in this milestone occasion was inhibited somewhat by knowledge that a few days ago Colorado suffered a great loss in the human resources side of its ongoing program to assist the victims of mental retardation and mental illness.

A young leader in this field in my district has died. His name was Merlin Zier. Among the newspaper articles which marked his passing was a particularly moving eulogy by Leonard Larsen, a staff writer for the Denver Post. Mr. Larsen makes the statement in the article that Merlin Zier, despite having made a tremendous contribution to institutionalized children in Colorado, left this world relatively unknown by his fellow men.

I doubt that the fact of nonfame would have bothered Merlin Zier. He did not, by nature, seek the limelight.

But Mr. Zier deserves to be remembered in the hearts of all men—and not just the fortunate few whose lives have been directly touched by his selfless service to humanity.

Leonard Larsen's eulogy has served to memorialize Merlin Zier in the hearts of thousands of Coloradans. It now seems fitting to expand the readership of this fine article, Mr. Speaker, and this can be accomplished by reprinting it in the Record. The text of Mr. Larsen's article follows:

A MAN WHO CARED ABOUT LITTLE THINGS (By Leonard Larsen)

Merlin Zier was one of those men who is in public life but not in a public spotlight, not like a governor or a congressman or even a penitentiary warden.

He died of leukemia last Sunday and he was not a famous man. Chances are the only people who knew he was a state official were those in his own circle of friends, other state officials and employees and the parents of children whose lives have been brushed by the tragedy of mental retardation.

Zier had served since 1962 as superintendent of the State Home and Training School at Wheat Ridge, a quiet, compassionate man who represented a new breed of administrators in state institutions.

Zier and the others like him don't look on their jobs as keepers or wardens of places which operate mainly to keep the inmates in. That was to be done, but for men like Zier the real objective is to help open doors.

A place like the Ridge home can be shocking and depressing. Children, some of them helpless, misshapen, without a flicker of response, are cared for there, along with others who may appear bright and animated but are still severely retarded.

Only a few years ago in Colorado all of them were filed away as hopeless.

But administrators like Zier have come on the scene—with, it must be acknowledged, the backing of legislators and governors—to work at human salvage as well as human custody.

For the mentally ill, new approaches have produced impressive results. It is harder in the area of mental retardation. If a smile of recognition begins to form behind a child's fixed mask, if a word or a sentence is blurted out, if a finger is pointed in recognition at a tree, that's progress.

About a year ago, Zier was meeting with the legislature's Joint Budget Committee to outline his proposed budget for the forthcoming year and I, for one, got a better look at this little-known state official—his humility, his concern for the children he cared for and his view of progress.

He would like some extra money for special activities at Ridge, Zier told the legislators, money to pay for parties and other projects for the children in his care. It wasn't much money, really lost in a total request of about \$4.7 million to operate Ridge, but it was important, he said.

He explained how some of these activities had been carried out on a limited basis and gave an example which showed not only the plight of the children, but Zier's compassion for them.

There had been a night-time party arranged at the home and the children were taken from their cottages to walk across the grounds to the party location, he said.

On the way—in that dark night—some of the children cried out. His first thought, Zier said, was that the children were frightened. But they weren't afraid, Zier told the legislators. The children were crying out in wonder and delight at the stars above them.

These children had become so institutionalized—their lives arranged in a schedule of meals and play and training and sleep—that they didn't know there were stars in the sky when the world got dark, Zier said.

He confessed he had lost sight—until that moment on the darkened Ridge campus—of how deep were the needs of the children in his care and how important it was to reach them in very small ways.

Merlin Zier will be missed in Colorado state government. I hope he can be replaced by another star-gazer.

NATIONAL JEWISH HOSPITAL SAVE YOUR BREATH MONTH

(Mr. BROTZMAN (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROTZMAN. Mr. Speaker, our Nation has a growing problem of chronic respiratory diseases. Despite tremendous strides forward in both research and the care of respiratory disease victims, some 160,000 Americans die annually of such afflictions as tuberculosis, asthma, and emphysema.

It is estimated that 10 million of our fellow-citizens suffer from a respiratory disease.

One of the Nation's foremost research and care organizations in this field is located in Colorado. National Jewish Hospital, a nonsectarian institution founded in 1890, has played a vital role in the continuing fight to understand and cure respiratory diseases.

This institution has provided more than 5 million patient-days of free care to victims of chest disease in its 67 years of operations.

In recognition of the need for our Nation to support the ongoing research and care programs of National Jewish Hospital and other outstanding organizations in the Nation which are involved in the ongoing fight against respiratory diseases, yesterday I introduced a joint resolution which would authorize and request the President to issue a proclamation designating March 1968 as "National Jewish Hospital Save Your Breath Month," and emphasizing the major public health problem presented by chronic respiratory disease.

H.J. RES. —

Joint resolution to proclaim National Jewish Hospital Save Your Breath Month

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in response to the growing national concern occasioned by the increase of chronic respiratory disease and in recognition of the accomplishments of medical science in the detection and control of such disease, the President of the United States is hereby authorized and requested to issue a proclamation (1) designating March 1968 as National Jewish Hospital Save Your Breath Month, and (2) emphasizing the major public health problem presented by chronic respiratory disease, and calling upon the people of the United States to observe appropriate medical safeguards for their own respiratory health and that of their families.

U.S. SUPREME COURT UNREALISTIC

(Mr. DEVINE (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, the one-man one-vote concept and the rights of State legislatures to redistrict received a lethal blow this week when the U.S. Supreme Court, with three words, wiped out months of hard work by both the Legislature of the State of Ohio as well as the U.S. district court in Cleveland.

A 20-page opinion upholding Ohio's 1964 redistricting was summarily eliminated with only the words "reversed and remanded."

Perhaps the Supreme Court majority could not find a reason supported by logic; however, Justices Harlan and Stewart expressed deep concern in the dissenting opinion.

The Court, apparently, and nobody really knows because of the absence of opinion, felt only the 1960 census could be used in drawing new districts. This, of course, is wholly unrealistic and does grave injustice to the one-man one-vote concept they profess to support.

An editorial in the December 5 Washington Post tells the story graphically:

PROCRUSTEAN TENOR?

The Supreme Court's decision in the Ohio redistricting case highlights the hazards in the struggle for equal representation. The statute creating new congressional districts for Ohio in 1964 was admittedly defective, according to the criteria laid down by the Supreme Court, because one district had 13 per cent more population than the average and another had 18 per cent less, on the basis of the 1960 census. But state officials had defended the legislature's decision by saying that it had taken into account population shifts after 1960. The unofficial statistics thus relied upon were admitted to be unsatisfactory, but the lower court concluded that the disparities would not be greater than those which would result from a 1967 districting based wholly on the 1960 census. It was this conclusion that the Supreme Court overturned.

Justices Harlan and Stewart, dissenting, accused their brethren of closing their eyes to substantial population shifts and of thus giving the Court's decision in the *Wesberry* case "a Procrustean tenor." Unofficial population statistics are, of course, an unreliable guide in determining the legislative representation of any area. But so are obsolete population figures. In some parts of the country population movements in the last seven years have been widespread. Since there is no acceptable way of measuring these shifts until the 1970 census, all redistricting efforts in the next two years will leave much to be desired.

It is well to remember too that the courts will not now have the expedient of at-large elections to fall back upon. Congress has outlawed such elections, with a highly dubious one-year exception for Hawaii and New Mexico. Courts can no longer hold the threat of an at-large election of Congressmen over the heads of legislators if they fail to enact a constitutional districting plan. When no equitable districting plan has been enacted, the courts themselves will have to undertake the task—unless some other suitable mechanism created by the state is at hand.

However the job is done, it would be logical to recognize known population shifts, even though they cannot be measured with precision, so as to minimize the changes that will be necessary after 1970. Insofar as it discourages this policy, the one-sentence decision in the Ohio case is unfortunate. It is open to the interpretation that the Court is more concerned with form than with substance.

CONGRESSMAN HORTON INTRODUCES BILL TO LIBERALIZE PENSION BENEFITS FOR SURVIVORS OF CERTAIN RETIRED CIVIL SERVICE EMPLOYEES

(Mr. HORTON (at the request of Mr. HUNT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am today introducing a bill which will provide more liberal pension benefits to certain survivors of former Government employees who must presently give up their pension benefits if they remarry.

The 1966 amendments to the Civil Service Retirement Act provide that surviving spouses of civil service employees who retire after the effective date of the legislation, July 18, 1966, are entitled to continue receiving pension benefits if they remarry, provided that they remarry after the age of 60.